members from both parties, the bill is scheduled for a vote on the House floor as early as this week. But the House is also considering a much weaker ''compromise'' bill that would ban reproductive cloning but permit cloning for research. It is terribly important that the former, and not the latter, passes. First, because cloning is unethical, both in itself and in what it surely leads to. Second, because the Weldon-Stupak bill offers our best-indeed, our only—hope of preventing it from happening.

The vast majority of Americans object to human cloning. And they object on multiple grounds: It constitutes unethical experimentation on the child-to-be, subjecting him or her to enormous risks of bodily and developmental abnormalities. It threatens individuality, deliberately saddling the clone with a genotype that has already lived and to whose previous life its life will always be compared. It confuses identity by denying the clone two biological parents and by making it both twin and offspring of its older copy. Cloning also represents a giant step toward turning procreation into manufacture; it is the harbinger of much grizzlier eugenic manipulations to come. Permitting human cloning means condoning a despotic principle: that we are entitled to design the genetic makeup of our children (see ''Preventing a Brave New World,'' by Leon R. Kass, TNR, May 21).

So how do we stop it? The biotech industry proposes banning only so-called reproductive cloning by prohibiting the transfer of a cloned embryo to a woman to initiate a pregnancy. But this approach will fail. The only way to effectively ban reproductive cloning is to stop the process from the beginning, at the stage where the human somatic cell nucleus is introduced into the egg to produce the embryo clone. That is, to effectively ban any cloning, we need to ban all human cloning.

Here is why: Once cloned embryos exist, it will be virtually impossible to control what is done with them. Created in commercial laboratories, hidden from public view, stockpiles of cloned human embryos could be produced, bought, and sold without anyone knowing it. As we have seen with in vitro embryos created to treat infertility, embryos produced for one reason can be used for another: Today, ''spare embryos'' created to begin a pregnancy are used—by someone else—in research; and tomorrow, clones created for research will be used—by someone else—to begin a pregnancy. Efforts at clonal baby-making (like all assisted reproduction) would take place within the privacy of a doctor-patient relationship, making outside scrutiny extremely difficult.

Worst of all, a ban only on reproductive cloning will be unenforceable. Should the illegal practice be detected, governmental attempts to enforce the ban would run into a swarm of practical and legal challenges. Should an ''illicit clonal pregnancy'' be discovered, no government agency is going to compel a woman to abort the clone, and there would be understandable outrage were she fined or jailed before or after she gave birth. For all these reasons, the only practically effective and legally sound approach is to block human cloning at the start—at producing the embryonic clone.

The Weldon-Stupak bill does exactly that. It precisely and narrowly describes the specific deed that it outlaws (human somatic cell nuclear transfer to an egg). It requires no difficult determinations of the perpetrator's intent or knowledge. It introduces substantial criminal and monetary penalties, which will deter renegade doctors or scientists as well as clients who would bear cloned children. Carefully drafted and limited in scope, the bill makes very clear that there is to be no interference with the scientifically and medically useful practices of animal cloning or the equally valuable cloning of human DNA fragments, the duplication of somatic cells, or stem cells in tissue culture. And the bill steers clear of the current stem-cell debate, limiting neither research with embryonic stem cells derived from non-cloned embryos nor even the creation of research embryos by ordinary in vitro fertilization. If enacted, the law would bring the United States into line with many other nations.

Unfortunately, the House is also considering the biotech industry's favored alternative: H.R. 2608, introduced by Republican Jim Greenwood of Pennsylvania and Democrat Peter Deutsch of Florida. It explicitly permits the creation of cloned embryos for research while attempting to ban only reproductive cloning. But that's not something it is likely to achieve. It licenses companies to manufacture embryo clones, as long as they say they won't use them to initiate a pregnancy or ship them knowing that they will be so used. It therefore guarantees that there will be clonal embryo-farming and trafficking in clones, with many opportunities for reproductive efforts unintended by their original makers. And the bill's proposed ban on initiating pregnancy is, as already argued, virtually impossible to enforce.

There are further difficulties. The acts the Greenwood-Deutsch bill bans turn largely on intent and knowledge—hard matters to discern and verify. The confidentiality of the called-for Food and Drug Administration registration of embryos-cloning means that the public will remain in the dark about who is producing the embryo clones, where they are bought and sold, and who is doing what with them. A provision preempting state law would make it impossible for any state to enact any other—and more restrictive—legislation. A sunset clause dissolving the prohibition after ten years would leave us with no ban at all, not even on reproductive cloning. Most radically, the bill would create two highly disturbing innovations in federal law: It would license for the first time the creation of living human embryos solely for research purposes, and it would make it a felony not to ultimately exploit and destroy them. The Greenwood-Deutsch legislation reads less like the Cloning Prohibition Act of 2001 and more like the ''Human Embryo Cloning Registration and Industry Protection Act of 2001.''

It is possible that embryo-cloning will someday yield tissues derivable for each person from his own embryonic twin clone, tissues useful for the treatment of degenerative disease. But the misleading term ''therapeutic cloning'' obscures the fact that the research clone will be ''treated'' only to exploitation and destruction and that any future ''therapies'' are, at this point, purely hypothetical. Besides, we have promising alternatives—not only in adult stem cells but also in non-cloned embryonic stem-cell lines—that do not open the door to human clonal reproduction. Happily, these alternatives will not require commodifying women's ovaries in order to provide the vast number of eggs that would be needed to give each of us our own twin embryo when we need regenerative tissue. Should these alternatives fail, or should animal-cloning experiments someday demonstrate the unique therapeutic potential of stem cells derived from embryo clones, Congress could later revisit and lift the ban.

The Weldon-Stupak bill has drawn wide support across the political spectrum; feminist health writer Judy Norsigian and liberal embryologist Stuart Newman joined Catholic spokesman Richard Doerflinger and political theorist Francis Fukuyama in testifying in its favor. Health and Human Services Secretary Tommy Thompson, a proponent of research with embryonic stem cells, has endorsed it. Thoughtful people understand that human cloning is not about pro-life versus pro-choice. Neither is it a matter of right versus left. It is only and emphatically about baby design and manufacture, the opening skirmish of a long battle against eugenics and the post-human future. Once embryonic clones are produced in laboratories, the eugenic revolution will have begun. Our best chance to stop it may be on the House floor next week.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCEIS APPROPRIATIONS ACT, 2002

SPEECH OF

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 30, 2001

The House in Committee of the Whole House on the State of the the Union had under consideration the bill. (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agenceis, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes,

Mrs. CLAYTON. Mr. Chairman, I want to bring to the attention of my colleagues an imporant issue affecting communities across the country, especially low-income communities with limited resources. Current Federal programs provide cleanup money for the worst sites. The Federal Government should help States provide funds for sites that have significant contaimination but aren't the worst. Federal funding for redevelopment goes mainly to urban areas because private sector participation is more readily available. Rural and Environmental Justice communities have non-commercial needs. Environmental justice programs do not provide funding for cleanup.

Superfund was established to address the worst sites. Sites that don't qualify for the National Priorities List may still require cleanup. Typically the State provides 10 percent of the cleanup cost and the Federal Government provides 90 percent of the cleanup cost.

All costs were recovered for the original Superfund site, the PCB spill along the roadsides of North Carolina that resulted in the Warren County problem.

EPA's Brownfields Program Provides money for site assessments and revolving loan programs. It does not provide money for actual cleanup. Economic redelevopment is key component. Most are located in urban areas.

Environmental Justice Programs provide funds to address EJ concerns and issues and to increase involvement by the people in areas where environment injusice has occured. It does not provide funds for cleanup activities.

Areas where environmental justice has occurred are typically low-inccome areas where it is difficult to obtain the private sector interest in economic redevelopment.

EJ communities have many needs other than economic redevlopment.

Warren County is one of the poorest counties in North Carolina. The site of the detoxification and redevelopment project is rural and